

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

IN RE:	)	
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COX ENTERPRISES, INC.,	)	12-ML-02048-C
SET-TOP CABLE TELEVISION	)	
BOX ANTITRUST LITIGATION	)	
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**PLAINTIFF’S AND DEFENDANT’S JOINT AGREED RESPONSE  
TO COURT’S JULY 29, 2014 ORDER**

On July 29, 2014, the Court ordered the parties to brief the question of lifting the stay in Feldman v. Cox Communications, Inc. and/or Alwert v. Cox Communications, Inc., and/or proceeding to trial with the class members not subject to arbitration in Healy v. Cox Communications, Inc., while Cox’s appeal of the Court’s denial of its motion to compel arbitration in the Healy case proceeds at the Tenth Circuit.

Counsel for both sides have conferred and agreed that the appropriate course of action in these circumstances would be for the Court not to proceed with a trial in Healy until after the Tenth Circuit resolves the pending appeal, and instead to lift the stays in the Feldman and Alwert cases in the interim. The parties further agree, if it is acceptable to the Court, that Cox shall respond to the Feldman and Alwert complaints within 45 days after the Court enters an order lifting the stays.

Accordingly, the parties jointly respectfully request that the Court order that (1) there will not be a trial in the Healy matter until after the Tenth Circuit resolves the pending appeal, and (2) the stays in Feldman and Alwert are lifted. A proposed form of order is attached for the Court’s convenience.

DATED: August 7, 2014

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on August 7, 2014, I electronically transmitted the attached document to the Court Clerk using the ECF System for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to all ECF registrants.

/s/ Margaret M. Zwisler

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Margaret M. Zwisler